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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

8 PHYTELLIGENCE, INC.,

9 Plaintiff,

10 v.

11 WASHINGTON STATE UNIVERSITY,

12 Defendant.
13

NO. 2:18-cv-00405-RSM

STIPULATED MOTION AND ORDER
REGARDING RENOTING OF AND
BRIEFING SCHEDULE FOR WSU'S
MOTION TO EXCLUDE

14 Plaintiff Phytelligence, Inc. ("Phytelligence") and Defendant Washington State
15 University ("WSU"), by and through their counsel of record, stipulate as follows:

16 1. Pursuant to the Court's March 8, 2019 Order extending deadlines (Dkt. #76),
17 the deadline for dispositive motions is May 2, 2019 and any such motion must be noted on the
18 motion calendar no later than the fourth Friday thereafter pursuant to Local Civil Rule 7(d)(3).

19 2. Pursuant to Local Civil Rule 16(b)(4), the deadline to file any motion to exclude
20 expert testimony is not later than the deadline to file dispositive motions.

21 3. On May 2, 2019, WSU filed a Motion to Exclude Expert Testimony of Peter
22 Wrobel (Dkt. #78) and noted the motion for May 17, 2019 pursuant to Local Civil Rule
23 7(d)(3).

24 4. In order to accommodate the schedules of counsel, the parties believe that an
25 extension to the briefing schedule is necessary.

STIPULATED MOTION RE WSU'S MOTION TO EXCLUDE
(2:18-cv-00405-RSM)

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5. The requested extension will not require any change to the trial date.

STIPULATED MOTION

Based on the above background, the parties stipulate and respectfully request that the Court order as follows:

6. WSU shall file a Notice of Motion Renoted pursuant to Local Civil Rule 7(*l*) that changes the noting date for WSU's Motion to Exclude Expert Testimony of Peter Wrobel (the "Motion") to June 14, 2019.

7. The parties agree to the following briefing schedule for the Motion as renoted: Phytelligence shall file and serve any papers in opposition to the Motion on or before June 3, 2019. WSU shall file and serve any reply papers in support of the Motion on or before June 14, 2019.

1 DATED this 2nd day of May, 2019.

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20 PURSUANT TO STIPULATION, IT IS SO ORDERED this 7 day of May, 2019.

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22 RICARDO S. MARTINEZ
23 CHIEF UNITED STATES DISTRICT JUDGE
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